

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Robert HOFMEISTER *et al.*

Serial No.: 10/580,660

Filed: May 26, 2006


For: COMPOSITIONS COMPRISING
POLYPEPTIDES

Group Art Unit: 1643

Examiner: Meera Natarajan

Atty. Dkt. No.: DEBE:066US

Confirmation No.: 1727

CERTIFICATE OF ELECTRONIC TRANSMISSION 37 C.F.R. § 1.8	
I hereby certify that this amendment is being electronically filed with the United States Patent and Trademark Office via EFS-Web on the date below:	
January 4, 2010 Date	 Steven L. Highlander

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-01450

Dear Sir:

This response to the Notice of Non-Compliant Appeal Brief (37 CFR 41.37) mailed on December 1, 2009, to which a response is due January 4, 2010 since January 1, 2010 was a Federal holiday and the USPTO was closed for business. No fees are believed due in connection with this filing; however, if any fees are due under 37 C.F.R. §§ 1.16 to 1.21 in connection with the filing of this paper, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Deposit Acct. No. 50-1212/DEBE:066US/10605466.

REMARKS

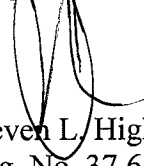
I. Status of Claims

Claims 1-25 were filed with the original application, and claims 26-50 were added during prosecution, and claims 27-50 are currently withdrawn. Claims 1-25 and 27-29 were canceled. Thus, claim 26 is under consideration, stands rejected, and is appealed.

II. Conclusion

In light of the foregoing, appellants respectfully state that the Appeal Brief should be accepted. Should the examiner have any questions regarding this submission, a telephone to the undersigned is invited.

Respectfully submitted,



Steven L. Highlander
Reg. No. 37,642

Date: January 4, 2010

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